

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STUART A. BYRNE,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

Case No. 16-CV-1380-JPS

ORDER

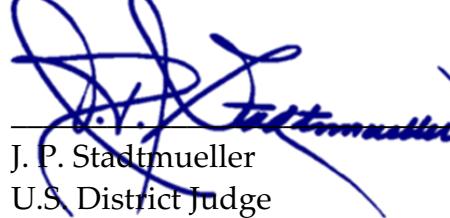
On May 30, 2017, the Court remanded this case to the Social Security Administration pursuant to Defendant's motion. (Docket #20, #21, and #22). On August 28, 2017, the parties filed a stipulation agreeing that Plaintiff should receive an award of attorney's fees and costs, pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Docket #27). Pursuant to that stipulation, and because the Court finds that the fees incurred are both reasonable and necessary and qualify under the EAJA,

IT IS ORDERED that the parties' stipulation for an award of attorney's fees and costs (Docket #27) be and the same is hereby **ADOPTED**; an award of attorney's fees in the sum of \$5,888.80 shall be paid by Defendant in full satisfaction and settlement of any and all claims Plaintiff may have in this matter pursuant to the EAJA. These fees are awarded to Plaintiff and not Plaintiff's attorney and can be offset to satisfy pre-existing debts that the litigant owes the United States under *Astrue v. Ratliff*, 560 U.S. 586 (2010). If counsel for the parties verify that Plaintiff owes no pre-existing debt subject to offset, then Defendant shall direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA

assignment signed by Plaintiff and counsel. If Plaintiff owes a pre-existing debt subject to offset in an amount less than the EAJA award, the Social Security Administration will instruct the U.S. Department of Treasury that any check for the remainder after offset will be made payable to Plaintiff and mailed to the business address of Plaintiff's attorney.

Dated at Milwaukee, Wisconsin, this 31st day of August, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge